

**PLANNING AND ZONING BOARD**  
**FEBRUARY 13, 2002**

**1. ROLL CALL**

The meeting was called to order at 7:07 p.m. Board members present were Chair Jay Stahl, Vice-Chair Mike Bender, Edna Moore, and Mimi V. Turin. Also present were Board Attorney A. Thomas Connick, Planner Chris Gratz and Board Secretary Janet Gale recording the meeting. Bob Waitkus was absent.

**2. APPROVAL OF MINUTES: January 23, 2002**

Ms. Moore made a motion, seconded by Vice-Chair Bender, to approve. In a roll call vote, the vote was as follows: Chair Stahl – yes; Vice-Chair Bender – yes; Ms. Moore – yes; Ms. Turin – yes; Mr. Waitkus – absent. **(Motion carried 4-0)**

**3. PUBLIC HEARINGS**

*Vacation/Abandonment*

**3.1 VA 12-1-01, Belloso, south side of Nova Drive, 300 feet east of University Drive (B-2)**

Gus Aguirre, representing the petitioner, was present. Mr. Gratz read the planning report (Planning and Zoning Division's recommendation: approval).

Mr. Aguirre indicated that he had contacted the utility agencies and had their approval to vacate the easement.

Chair Stahl asked if anyone wished to speak for or against this item. As no one spoke, the public hearing was closed.

Vice-Chair Bender made a motion, seconded by Ms. Moore, to approve. In a roll call vote, the vote was as follows: Chair Stahl – yes; Vice-Chair Bender – yes; Ms. Moore – yes; Ms. Turin – yes; Mr. Waitkus – absent. **(Motion carried 4-0)**

*Rezoning*

**3.2 ZB 11-3-01, D.F.D. Capital Dev. Corp., 10700 West State Road 84 (from T-1, County to CC, Flex) (tabled from January 23, 2002)**

David Dameran, representing the petitioner, was present. Mr. Gratz read the planning report (Planning and Zoning Division's recommendation: approval subject to the conditions as noted in the report).

Mr. Connick asked if the applicant was willing to voluntarily add to the deed restrictions that telecommunications towers would not be a permitted use on the site. Mr. Dameran responded affirmatively and stated that he wanted a clean, impact free commerce park, as was possible.

Using a site plan rendering, Mr. Dameran provided an overview of the project and detailed what measures were to be taken to be upscaled without loading docks. He explained that there would be individual ownership by the various businesses and that maintenance would be provided much the same as in a "condominium association".

Chair Stahl asked if anyone wished to speak for or against this item.

Jack Poilullo spoke in opposition and stated his concern about noise.

Kelly Waters, 10701 SW 10 Court, spoke in opposition and stated her concerns were noise and drainage issues.

Vivian Ruggles, 10711 SW 10 Court, spoke in opposition and had the same concerns.

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Mr. Damerau addressed the concerns vocalized by the abovementioned residents in an effort to explain the type of "high end" commerce park he intended to build and the types of uses he would and would not permit. He answered questions of the Board in an effort to have a clear understanding of the project.

Vice-Chair Bender made a motion, seconded by Ms. Turin, to approve subject to the applicant voluntarily "deed restricting out" telecommunication towers in addition to the other deed restrictions. In a roll call vote, the vote was as follows: Chair Stahl – yes; Vice-Chair Bender – yes; Ms. Moore – yes; Ms. Turin – yes; Mr. Waitkus – absent. **(Motion carried 4-0)**

3.3 ZB 11-2-01, Calvin, Giordano & Associates, Inc./Covenant House Florida, Inc., 6991 Orange Drive (from CF and A-1 to RM-10)

Shelley Eichner, representing the petitioner, was present and deferred to the reading of the planning report. Mr. Gratz read the planning report (Planning and Zoning Division's recommendation: approval).

Chair Stahl asked if anyone wished to speak for or against this item.

Brandon Hewett, 7173 Orange Drive, asked if this was to be a homeless shelter. Mr. Gratz clarified that it was not and that townhouses would be built instead. Mr. Hewett indicated that he had no objections to the townhouses.

Roberta Glazer, 4324 SW 70 Terrace, asked if there were steps being taken to preserve some of the trees and she had concerns regarding traffic that the 45 units would generate. She was also concerned with the way the townhouses would face and if there would be a privacy issue. Using a site plan, Ms. Eichner dispelled some of Ms. Glazer's concerns. Mr. Gratz communicated that the intention of this meeting was to establish the zoning use and that some of Ms. Eichner's concerns would more properly be addressed at the Site Plan Committee meeting.

Joanne Foley, Townhomes of Orange Drive, asked for clarification of the project as she was under the impression it was to be a homeless shelter. She was indifferent to this project.

As there were no other speakers, the public hearing was closed.

Vice-Chair Bender made a motion, seconded by Ms. More, to approve. In a roll call vote, the vote was as follows: Chair Stahl – yes; Vice-Chair Bender – yes; Ms. Moore – yes; Ms. Turin – yes; Mr. Waitkus – absent. **(Motion carried 4-0)**

3.4 ZB 12-1-01, Bradford Marine, Inc./Cosman, 3051 State Road 84 (from C-1 to M-2)

James Hurley, representing the petitioner, was present. Mr. Gratz read the planning report (Planning and Zoning Division's recommendation: no objection to the request).

Chair Stahl asked if anyone wished to speak for or against this item.

George Counts, 2449 Nassau Lane, spoke in opposition of this request. His objections regarded the possibility of "boat building" and he was concerned with contamination from manufacturing as well as the impact on property values.

Craig Canning was opposed to this request and expressed the same concerns previously mentioned by Mr. Counts.

As there were no other speakers, the public hearing was closed.

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A lengthy discussion ensued with Board members seeking clarification on the hours of operation and the expanded uses which were permitted in the "M-2" zoning.

Vice-Chair Bender made a motion, seconded by Ms. Moore, to approve. In a roll call vote, the vote was as follows: Chair Stahl – yes; Vice-Chair Bender – yes; Ms. Moore – yes; Ms. Turin – yes; Mr. Waitkus – absent. **(Motion carried 4-0)**

### *Variance*

3.5 V 12-3-01, Shaygannik and Zarnani, 4129 SW 76 Avenue (A-1)

Hassan Shaygannik, the petitioner, was present. Mr. Gratz summarized the predicament that developed concerning this property and using a map, he pointed out why the Planning and Zoning Division's recommendation was approval.

Chair Stahl asked if anyone wished to speak for or against this item. As no one spoke, the public hearing was closed.

Ms. Moore made a motion, seconded by Vice-Chair Bender, to approve. In a roll call vote, the vote was as follows: Chair Stahl – yes; Vice-Chair Bender – yes; Ms. Moore – yes; Ms. Turin – yes; Mr. Waitkus – absent. **(Motion carried 4-0)**

## **4. OLD BUSINESS**

There was no old business discussed.

## **5. NEW BUSINESS**

An unidentified gentleman asked for direction regarding an additional building being added to his two-acre site for his visually-impaired daughter. Mr. Connick indicated that this was not the appropriate venue to discuss this issue. Chair Stahl referred him to staff and Mr. Gratz indicated that he would meet with the gentleman.

## **6. COMMENTS AND/OR SUGGESTIONS**

Vice-Chair Bender commented that the Code needed to be refined regarding the "mother-in-law" residential issue and hoped that a more sensible ordinance would be adopted.

## **7. ADJOURNMENT**

There being no other business and no objections, the meeting was adjourned at 8:38 p.m.

Date Approved \_\_\_\_\_

\_\_\_\_\_  
Chair/Board Member

